

MINUTES OF COUNCIL MEETING
MARCH 24, 2005
6:30 P.M.

The Murray City Council met in regular session on Thursday, March 10, 2005, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

Council Members Present: Lance Allison, Robert Billington, Rita Henley, Danny Hudspeth, Pete Lancaster, Doris Parham, Hugh Massey, Dan Miller, Jason Pittman, Pat Scott, Butch Seargent, and Bill Wells.

Council Members Absent: None.

Staff Present: Don Elias, Ken Claud, Thomas Clendenen, Ricky Stewart, J. L. Barnett, Matt Mattingly, David Roberts, Gail Mullins, James Oakley, Don Leet, Sam Perry, Don Rogers, Philip Morris, Warren Hopkins, and Harla McClure.

Minutes of the council meeting held March 10, 2005, were presented for approval. **Dr. Miller moved, seconded by Mr. Allison,** to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Mayor Rushing recognized Tony Thompson, General Manager for Murray Electric System. Mr. Thompson stated he is before the council to ask the council to pass a resolution on a 20 year bond issue. He stated that it would replace the existing debt which was initially taken out in 2001 (bond anticipation notes) at an interest rate of 4.75%.

Mr. Thompson stated the bond issue is necessary to pay bond anticipation notes, which is not new debt. It is only converting the existing debt into long term bond issue.

Bob Jackson is employed with Hilliard Lyons and does public finance work as it pertains to bond issues. Adopting the Resolution will allow the electric system to become bank qualified, which allows banks to buy bonds and receive a tax benefit. The electric system has also never had a bond rating and it went through the process and it received the rating BAA1, which is an investment grade rating.

Dr. Miller requested to know what cash reserves the electric system had and Mr. Jackson stated there was about one million in reserves.

Resolution 002-2005 authorizing the City of Murray, Kentucky to assign up to \$6,520,000 for calendar year 2005 of its "qualified tax exempt obligations" within the meaning of the Internal Revenue Code of 1986, as amended (the "Code") to the Electric Plant Board of the City of Murray, Kentucky pursuant to Section 265(b)(3) of the Code was presented to the Council for approval. **Mr. Allison moved, seconded by Mr. Pittman** to approve said

Resolution. With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Lance Allison, Butch Seargent, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Resolution 002-2005 approved.

Ordinance Number 2005-1373 an Ordinance amending Chapter 156 (zoning code) of the City of Murray Code of Ordinances regarding text amendments was presented to the council on a second reading. **Dr. Miller moved, seconded by Mr. Pittman** to adopt said Ordinance.

Ms. Henley questioned why businesses are being limited to advertising on the inside of the store windows. Sam Perry, Assistant Planner, stated that businesses had begun to abuse the privilege; therefore, the Planning Commission decided to bring it under control.

With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: Butch Seargent.

Mayor Rushing declared Ordinance Number 2005-1373 adopted on the second reading and recorded in Ordinance Book Number 6, Page 120.

Ordinance Number 2005-1374 an Ordinance amending Chapter 155 (subdivision regulations) of the City of Murray Code of Ordinances regarding storm water management facilities design criteria exemptions and erosion control was presented to the council on a second reading. **Mr. Billington moved, seconded by Ms. Henley** to adopt said Ordinance.

With no discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Danny Hudspeth, Lance Allison, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2005-1374 adopted on the second reading and recorded in Ordinance Book Number 6, Page 144.

Recommendation from Murray Planning Commission was presented to the council to deny a request to re-zone property located at 411 N. 10th Street from R-2 (single family residential) to B-2 (highway business). Said property is owned by Randal and Pam Keller. **Mr. Allison moved, seconded by Mr. Massey** to accept the recommendation and deny the rezoning request. With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Sargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared the denial to rezone 411 N. 10th Street approved.

Recommendation from Murray Planning Commission authorizing the city attorney to draft an ordinance regarding the addition of a section to Chapter 156 (zoning code) of the City of Murray Code of Ordinances as it pertains to cellular antenna tower regulations was presented to the council for approval.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Sargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared the recommendation approved.

Mayor Rushing recognized James Oakley, storm water drainage engineer. Mr. Oakley provided an update on the storm water utility that has been charged since October 2004.

Mr. Oakley stated that we currently have over 1000 commercial accounts and receive approximately \$9,205 a month and approximately \$7,261 a month on residential accounts. The fee is \$1.50 per ERU, which is relatively low compared to the state average of \$3.81.

Following is a list of projects: 1) Meadow Lane culvert replacement starting April 1st, which will take approximately 40 days to complete; 2) Monroe Street detention pond around Oakdale will start in approximately two to three months; 3) Northwood Drive will start around the first of the summer; 4) Williams Street and Henry Street; 5) clearing out basins around town

starting at Clarks River and working way back to town – clearing debris, repairing and restoration. Mr. Oakley stated he is going to apply for a grant for the basin work.

Mayor Rushing recognized Dr. Miller and requested that he provide a report from the transportation committee, which met prior to the council meeting. Dr. Miller stated the committee met to discuss the following bids for an engineering firm to design plans for the business loop.

1. GRW Engineers
2. Geotech Engineers
3. Palmer Engineering

Don Elias, City Administrator, stated that each firm was evaluated based on a point system. **Dr. Miller moved, as unanimously recommended by the Transportation Committee, to accept Geotech Engineers as the engineering firm to design plans for the business loop. Ms. Henley seconded the motion.**

With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Mr. Elias stated that the legislature approved the receipt of an additional \$272,117 for road projects which will come to us through municipal aid. He stated there is another 25 million dollars made available through the same legislation that we can apply to the state for and it is our recommendation to continue with the Five Points project that has been listed as the council's highest priority and we will be putting together an application for improvements at Five Points.

Mr. Wells provided the following information on the 50th Make a Difference Day totals: 120 volunteer hours; 285 eyeglasses; 30 tons of paper (2100 pounds shredded); 59 inkjet cartridges; 1500 pounds of clothes; 55 cell phones; 92 bibles; 2400 pounds of glass; 1500 pounds of aluminum cans; 1500 pounds of plastic; 633 cars.

Mr. Wells stated the next Make a Difference Day will be May 21st.

Ms. Parham stated that the City received a grant from the Kentucky Human Rights Commission in the amount of \$1500. April is Fair Housing Month and we will be promoting same.

With no further business to come before the council, the meeting adjourned at 7:25 p.m.

H. Thomas Rushing, Mayor

Attest:

Harla McClure
City Clerk